

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81713 of 2024

Arising Out of PS. Case No.-435 Year-2023 Thana- MANER District- Patna

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Dhananajay Kumar son of Ram Babu Ray village- Hira tola, Sherpur, ps-
Maner, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prashant Kashyap, Advocate

For the Opposite Party/s : Mr. Md. Matloob Rab, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 10-01-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Sessions Trial No. 806 of 2024 arising out of Maner P.S. Case
No. 435 of 2023 instituted for the offence under Sections 302,
120(B) & 34 of the Indian Penal Code and Section 27 of the
Arms Act.

3. As per prosecution case, allegation against the
petitioner is of committing murder of the brother of the
informant, namely, Arun Kumar Singh by firing.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 05-09-2023. Petitioner
bears eight criminal antecedents, as per disclosure made in



paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. It is submitted that there is delay of two days in lodging of the FIR. It is next submitted that there is allegation of firing against the petitioner, but no empty cartridge or firearms have been recovered from the place of occurrence. It is submitted that other co-accused has been granted bail by a Co-ordinate Bench of this Court *vide* order dated 26-04-2024, passed in Cr. Misc. No. 18145 of 2024.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that there is direct allegation of firing against the petitioner. Witnesses have also supported the prosecution case. From perusal of the postmortem report, it would reveal that cause of death is due to haemorrhage and shock caused by fire arm injury leading to cardio-respiratory failure.

7. Considering the aforesaid facts and circumstances of the case, there being direct allegation against the petitioner, which is serious in nature, this Court, at this stage, is not inclined to grant bail to the petitioner. Prayer for grant of bail is, accordingly, ***rejected***.



8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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